

ENTERED

December 18, 2017

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

ERICK RESENDEZ-RODRIGUEZ,
Petitioner,

V.

UNITED STATES OF AMERICA,
Respondent.

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CIVIL NO. B-17-162

CRIMINAL NO. B-13-450-1

ORDER

Pending is the Magistrate Judge's August 29, 2017, Report and Recommendation in the above-referenced cause of action. [Doc. No. 5] No objections have been lodged by either side and the time for doing so has expired.

Having reviewed all of the pleadings and the Report and Recommendation for plain error and having found none, it is the opinion of the Court that the Magistrate Judge's Report and Recommendation is hereby adopted. Therefore, Petitioner Erick Resendez-Rodriguez's Motion to Vacate, Set Aside or Correct his Sentence pursuant to 28 U.S.C. § 2255 [Doc. No. 1] is denied as meritless. Further, the issuance of a Certificate of Appealability is denied.

Signed this 18th day of December, 2017.



Andrew S. Hanen
United States District Judge